

U.S. BANKRUPTCY JUDGESHIP VACANCY

DISTRICT OF NEW JERSEY

Chief Judge Edward R. Becker announces the appointment of a Search Committee to make recommendations to the Judicial Council of the Third Circuit concerning the appointment of one United States Bankruptcy Judge for the District of New Jersey, sitting in Newark or Trenton.

Bankruptcy judges are appointed to 14-year terms pursuant to 28 United States Code §152. Current salary is \$129,996 per annum. Applicants must be members in good standing of the highest court of at least one state, the District of Columbia, or the Commonwealth of Puerto Rico, and members in good standing of every other bar of which they are members. Applicants should have engaged in the active practice of law for at least five years; demonstrate outstanding legal ability and competence, and a commitment to equal justice under the law; and indicate by their demeanor, character and personality that they would exhibit judicial temperament if appointed. Qualified candidates will be considered equally and without regard to race, sex, religious affiliation or national origin. ***An extensive background in bankruptcy practice is not required.*** The name of the candidate selected for the position will be published for public comment prior to appointment. This application form is available on the Third Circuit web site, <http://pacer.ca3.uscourts.gov>.

Qualified persons wishing to be considered for appointment may also obtain a copy of the application materials by contacting the following office:

Office of the Circuit Executive
Third Judicial Circuit
22409 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1721
Tel: 267-299-4220

In addition, copies of the application may be picked up at the Office of the Clerk of Court for the U.S. Bankruptcy Court at the following location:

Office of the Clerk
Martin Luther King, Jr.
Federal Bldg. & U.S. Courthouse
50 Walnut Street, 3rd Floor
Newark, NJ 07102

Completed applications (submit an original plus 12 copies, including writing samples with each copy) should be received by the Circuit Executive Office at the above address, marked *Attention: Bankruptcy Judge Search Committee*, by the close of business **Friday, September 1, 2000**. For your information, after reviewing the applications, the Committee will interview selected candidates on or about September 25-27, 2000.

JUDICIAL COUNCIL OF THE THIRD CIRCUIT

**APPLICATION FOR THE POSITION OF
UNITED STATES BANKRUPTCY JUDGE
FOR THE DISTRICT OF NEW JERSEY**

Please submit by Friday, September 1, 2000 an original plus twelve (12) copies of your application and cover letter, typewritten and single spaced, on letter size paper, repeating each question and placing your response immediately following it.

PERSONAL BACKGROUND

1. Your full name and social security number.

All other names by which you have been known.

2. Addresses:

Residential (street, city/state/zip, telephone number).

Office (street, city/state/zip, telephone number).

3. Birth Date:

Length of your residence in the state of _____.

If a naturalized citizen, date and place of your naturalization.

4. Family Status:

Are you related by blood or marriage to any United States District or Court of Appeals judge? If so, state judge(s)' name(s).

EDUCATION

5. State the name of the high school you attended and

your graduation date.

6. List all of the colleges and universities you attended, including non-legal graduate work.

<u>School</u>	<u>Dates</u>	<u>Major</u>	<u>Degree</u>
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List all honors, awards, etc.

7. List all of the law schools you attended:

<u>School</u>	<u>Dates</u>	<u>Degree</u>
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State in detail your honors, awards, law review, other activities or achievements, and class standing.

8. List all seminars, symposia, lectures, or legal meetings in the nature of continuing legal education which you have attended in the past five years, stating as to each: date, sponsoring organization, subject, and the extent of your participation.

HEALTH

9. What is the present state of your health?
10. Do you have any disability, illness or condition that would prevent you from performing the essential functions of the position of bankruptcy judge? If so, please provide details.

PROFESSIONAL AND OCCUPATIONAL BACKGROUND

11. List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the name of the body, the date of your admission, and indicating whether you are currently on active status there.
12. List chronologically your relevant work experience, including all positions held since graduation from law school. State the names, dates, and addresses of all law and business firms with which you have been associated, and of all governmental agencies or private business organizations by which you have been employed, periods during which you have been a solo practitioner, etc. Include judicial clerkships.

13. If you have practiced law, describe the general nature of your practice, including any legal specialties you possess, and the character of your typical clients. In addition, if your practice changed significantly over time, discuss your prior practice.
14. With respect to the past five years (or the last five years in which you practiced law):
 - a. Describe the frequency of your appearances in court, and estimate what percentages of your appearances were before: Federal Court; State or local Court; administrative bodies; Other.
 - b. Estimate how your litigation was divided among: civil; criminal; and bankruptcy work.
 - c. Estimate the number of cases in trial courts of record you tried to verdict or judgement as trial counsel, distinguishing between jury cases to verdict and jury cases started but which did not go to verdict, and also between criminal and civil cases.
 1. Give citations of any reported case.
 - d. Estimate the number of contested non-jury cases you commenced, distinguishing between civil and criminal cases.
 1. How many of those cases went to judgement after trial on the merits?
 2. How many non-contested cases involving court appearances have you handled?
 - e. Discuss the nature of your bankruptcy practice, if any.
 1. Furnish the number of cases handled by you within the past five years, and give a breakdown of these cases by percentage as to how many were: asset cases; no asset cases; business cases; consumer cases; cases under Chapters 7, 9, 11, 12, and 13.
 2. Indicate the number of adversary proceedings handled by you in the last five years.

3. Describe any other matters referred to you not of a bankruptcy nature, such as SIPA, or Truth-in-Lending cases.
 - f. Describe any other experience you may have which is relevant to the position for which you are applying.
15. Appellate Practice:
 - a. Estimate the number of cases you have personally handled as principal counsel on appeal. List the five most recent, and discuss how much of your appellate work you have orally argued.
 - b. Please attach copies of the opinions.
16. Prior judicial experience:
 - a. Have you ever held judicial office or been a candidate for judicial office? If so, please state the courts involved and the dates of service or dates of candidacy.
 - b. Please describe any prior quasi-judicial service, including the agency, the issues involved, the number of cases adjudicated and the dates of service.
17. If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and discuss whether you intend to resign such position or withdraw from active management participation in the enterprise, should you be appointed to judicial office.
18. Furnish three examples of legal writing which reflect your personal work. (Articles, books, etc. and/or briefs if written largely or entirely by you.)
19. State any achievements or accomplishments which you believe demonstrate your commitment to equal justice under the law.
20. List five individuals as references who are familiar with your abilities and personal character. Include their names, addresses and telephone numbers.

21. State any other information which may reflect either positively or adversely on you which you believe should be disclosed in connection with your possible nomination as bankruptcy judge.

PROFESSIONAL AND PERSONAL CONDUCT

22. Have you ever been arrested, charged, held, or convicted for violation of federal, state, county, or municipal law, regulation or ordinance? (Do not include traffic violations for which a fine of \$50.00 or less was imposed, unless it also included a jail sentence.) If so, please discuss the details, including date, court and disposition.
23. Have you ever been charged in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, and/or unethical conduct? If so, please discuss details, including full style of the case, date, etc.
24. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If so, please discuss details as fully as known.
25. Have you ever been sued by a client? For each instance, please detail the facts and circumstances, including court and case number, names and addresses of your counsel, and the disposition of the case.
26. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please discuss.
27. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, please detail.
28. Have you filed appropriate tax returns as required by federal, state, local and other governmental authorities? If not, please explain.
29. Has a tax lien or other collection procedure ever been instituted against you? If so, give particulars.
30. Do any clubs or private associations to which you belong have a discrimination clause or have a history of barring membership to women or minorities?

STATEMENT AND CERTIFICATION

As a potential nominee I personally submit this application freely and voluntarily, and thereby indicate my willingness to serve as a United States bankruptcy judge if selected. I declare under penalty of perjury that the information contained herein is accurate, true and complete to the best of my knowledge and belief.

Executed on:

Date

Signature of Applicant

WAIVER OF CONFIDENTIALITY

I hereby expressly waive any privilege of confidentiality I may have concerning information which the Judicial Council of the Third Circuit or any member of its Search Committee may desire to obtain from any source concerning my qualifications to serve as a United States bankruptcy judge. I specifically authorize all institutions, organizations, schools, physicians, hospitals and individuals to make available to the Judicial Council of the Third Circuit or any member of its Search Committee any information concerning me which the Council may request. Information may be sought from individuals other than those listed as references, including employers and co-workers. If this presents a problem, I will notify the Circuit Executive in writing in an addendum to this application so that special arrangements can be made.

Date

Signature of Applicant